

CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

ORDINANCE NO. 1160
(As Amended)

Introduced by _____ Council Member Boker

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER TO AMEND CITY CODE CHAPTER 198 WATER & SEWER

On: August 5, 2024

at: 7:00 p.m.

Ordinance introduced, read first time, ordered posted and public hearing scheduled.

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Ordinance having been published according to the Charter, a public hearing was held on August 19, 2024 at 7:02 p.m., and concluded on August 19, 2024 at 7:09 p.m.

EXPLANATION

Underlining indicates matter added to existing law.

[Bold Brackets] indicate matter deleted from existing law.

Amendments proposed prior to final adoption will be noted on a separate page with line references or by handwritten changes on the draft legislation.

WHEREAS, Maryland Code, Environment, §9-202 allows a political subdivision, a sanitary commission, or an authority providing services to develop and implement service affordability programs to assist homeowners having difficulty making payments for water and sewer services, including payment plans; and

WHEREAS, the Mayor and City Council want to implement an affordability program to ease the burden on water and sewer customers in the City of Havre de Grace who receive unexpectedly high water and sewer bills due to certain circumstances beyond their control such as breakages, damaged service lines, continually running toilets, or other occasional plumbing problems; and

WHEREAS, qualified water and sewer customers who have a history of timely payment and are otherwise in good standing with the City of Havre de Grace should be able to create a payment agreement that allows them to continue to pay their quarterly bill on time and also pay an additional amount toward the balance of their abnormally high water and sewer service bill; and

WHEREAS, customers should have the ability to make an application to the Director of Finance for a payment plan under a program approved by the City Council to determine eligibility and additional payments until the customer has paid the cost incurred.

NOW THEREFORE, the Mayor and City Council hereby amends City Code, Chapter 198, Water and Sewers as follows:

§198-4. Payment of water and sewer accounts

- A. Bills shall become delinquent 30 calendar days from the date of mailing or electronic notice.
- B. Unless payment plan is approved, within five calendar days after the thirty-day calendar period has expired, the Director of Finance shall send out past due notices giving the customer 10 calendar days from the mailing date to settle **[his]** their account or enter into a City of Havre de Grace Payment Plan.
- C. If the account is not settled in the time outlined in Subsections A and B above, the Director shall turn off water service unless **[otherwise directed by the Mayor and City Council of Havre de Grace]** a payment plan has been approved by the Director of Finance based on an abnormally and unexpectedly high water and sewer bill compared with past use. No payment plans will be approved solely on the basis of financial hardship. To be eligible for a payment plan, the citizen has the burden to prove the water and sewer bill subject to the payment plan is abnormally and unexpectedly higher than the average of the last three billing cycles, due to factors that are not solely attributable to higher water and sewer rates and fees approved by City Council. In order to qualify for payment plan, the account holder must be current in payments, must have completed any previously approved payment plan, and the alleged higher billing from which relief is sought must be two (2) times the average of the last three (3) quarterly statements.
- D. Citizens who enter into a payment plan must pay their regularly billed amount going forward along with the additional amount agreed to in the payment plan. If the account (including the payment plan amount) is not fully paid by the next quarterly invoice date,

the citizen shall apply for special consideration for an extended payment plan. The extended payment plan must be approved by the Director of Finance but final payment under the Payment Plan shall not extend beyond one calendar year from the original due date.

- E. It is the responsibility of the homeowner, or the tenant with the express written consent of the homeowner, to formally apply in writing to the Director of Finance for a payment plan. The application should include: a summary of the facts explaining why the higher water and sewer usage was abnormally and unexpectedly higher than normal and that the higher bill is causing a financial burden on the citizen. Factors to be considered to support a payment plan include, but are not limited to, the cost to repair or replace broken lines or fixtures, efforts made by the homeowner or tenant to mitigate the cause of the abnormally and unexpectedly higher water and sewer usage, estimated ability to make future periodic payments, and any additional germane facts or circumstances that the City should consider.

- F. The Director of Finance shall prepare, manage, and track the payments made under the payment plan based on total overage and expected payment date, and the minimum quarterly usage charge shall be applied pro rata to the quarterly billing cycle over a maximum 12-month period.

NOW THEREFORE, it is determined, decided, and ordained by the City Council that the foregoing amendments to the City Code are hereby approved.

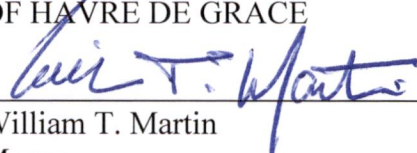
ADOPTED by the City Council of Havre de Grace, Maryland this 3rd day of September, 2024.

SIGNED by the Mayor and attested by the Director of Administration this 4th day of September, 2024.

ATTEST:



Christopher Ricci
Director of Administration

MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE


William T. Martin
Mayor

Introduced/First Reading: 8/5/2024
Public Hearing: 8/19/2024
Second Reading/Adopted: 9/3/2024

Effective Date: 9/4/2024